
LAND USE APPLICATION SUMMARY

Property Location: 5401 Chicago Ave and 811 East 54th St
Project Name: 5401 Chicago Avenue
Prepared By: Hilary Dvorak, Interim Planning Manager, (612) 673-2639
Applicant: New Life Properties LLC
Project Contact: Michael Kuntz, September Son Architecture
Request: To construct a new, mixed-use building with 47 dwelling units and approximately 3,800 square feet of ground-level commercial space

Dwelling Units	47 dwelling units
Non-Residential Uses	Commercial: 3,800 sq. ft.

Required Applications:

Site Plan Review	For a new, mixed-use building with 47 dwelling units and approximately 3,800 square feet of ground-level commercial space.
Preliminary and Final Plat	To create one lot.
Vacation (Vac1770)	To vacate the east-west alley between Chicago and Elliot Avenues, south of E 54 th St.
Admin. FAR Increase	To increase the maximum FAR from 2.4 to 3.29.

SITE DATA

Existing Zoning	C1 Neighborhood Commercial District AP Airport Overlay District BFC4 Corridor 4 Built Form Overlay District
Lot Area	17,395 square feet / .4 acres
Ward(s)	Ward 11
Neighborhood(s)	Hale
Future Land Use	Corridor Mixed Use
Goods and Services Corridor	Chicago Avenue
Built Form	Corridor 4

Date Application Deemed Complete	January 11, 2023	Date Extension Letter Sent	January 18, 2023
End of 60-Day Decision Period	March 12, 2023	End of 120-Day Decision Period	May 11, 2023

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is located on the southeast corner of Chicago Avenue and East 54th Street. The site is made up of two parcels – 5401 Chicago Avenue and 811 East 54th Street. The 5401 Chicago Avenue site is occupied by a vacant, one-story office building and surface parking lot and the 811 East 54th Street site is occupied by a one-story office building. The site abuts two alleys – one that runs north-south through the block and another that runs east-west and doglegs out to Chicago Avenue on the south end of the site. The applicant is proposing to vacate the alley that doglegs out to Chicago Avenue. Upon completion of the vacation, the north half of the alley would accrue to the development site and the south half of the alley would accrue to the property to the south located at 5417 Chicago Avenue.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by small-scale commercial uses and low-density housing. The site is located in the Hale neighborhood.



PROJECT DESCRIPTION. The applicant is proposing to construct a four-story, mixed-use development with 47 dwelling units and approximately 3,800 square feet of commercial space located towards the corner of Chicago Avenue and East 54th Street. The dwelling unit sizes will range from studios, one-, and two-bedroom units. There will be 22 parking spaces provided in one level of enclosed parking accessed off of the north-south alley on the block. Of the 22 parking spaces, seven of them will be tandem spaces. Bike parking will also be provided in the enclosed parking garage. The exterior materials of the building will include brick, metal panel, fiber cement lap siding, burnished block, and glass.

The principal entrance to both the residential and commercial portions of the building are located along Chicago Avenue. There will also be three, walk-up, dwelling units located along Chicago Avenue with their own principal entrances. Amenity space for the residents, including a co-working suite, a club room, and an outdoor amenity deck, will be provided on the second floor of the building.

RELATED APPROVALS. Not applicable.

PUBLIC COMMENTS. Public comment letters are included in the report. Any additional received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required findings and applicable standards in the site plan review chapter:

Applicable Standards of Chapter 530, Site Plan Review

BUILDING PLACEMENT AND DESIGN

Building placement – Meets requirements

- The proposed project would comply with the building placement standards.

Principal entrances – Meets requirements

- The proposed project would comply with the principal entrances standards.

Visual interest – Meets requirements

- The proposed project would comply with the visual interest standards.

Exterior materials – Meets requirements

- The applicant is proposing brick, metal panel, fiber cement lap siding, burnished block, and glass as the building’s primary exterior materials. Exterior material or balcony changes at a later date may require review by the Planning Commission and an amendment to the site plan review.

Windows – Meets requirements

- The proposed project would comply with the minimum window requirements.

Window Requirements for Residential Uses

Floor	Requirement		Proposed	
1st floor facing Chicago Avenue	20% minimum	133 sq. ft.	33%	222 sq. ft.
2nd floor and above facing Chicago Avenue	10% minimum	142 sq. ft.	More than 10%	
2nd floor and above facing East 54th Street	10% minimum	126 sq. ft.	More than 10%	

Window Requirements for Non-Residential Uses

Floor	Requirement		Proposed	
1st floor facing Chicago Avenue	30% minimum	130 sq. ft.	70%	304 sq. ft.
1st floor facing East 54th Street	30% minimum	283 sq. ft.	49%	459 sq. ft.

Ground floor active functions – Meets requirements

- The proposed project would comply with the ground floor active functions requirements.

Roof line – Meets requirements

- The principal roof line of the building would be flat which is similar to the roof lines of the other buildings located at the corner of Chicago Avenue and East 54th Street.

Parking garages – Meets requirements

- The proposed parking garage would comply with the applicable site plan review standards.

ACCESS AND CIRCULATION

Pedestrian access – Meets requirements

- There would be clear and well-lit walkways at least four feet in width connecting building entrances to the adjacent public sidewalk and on-site parking facilities.

Transit access – Not applicable

- No transit shelters are proposed as part of this development.

Vehicular access – Meets requirements

- The proposed project would comply with the vehicular access requirements.
- The site abuts two alleys – one that runs north-south through the block and another that doglegs out to Chicago Avenue on the south end of the site. The applicant is proposing to vacate the alley that doglegs out to Chicago Avenue.
- There will be 22 parking spaces provided in one level of enclosed parking accessed off of the north-south alley on the block. Access into the enclosed parking is located towards the southern end of the site.

Residential developments without off-street parking or loading – Not applicable

- The proposed development will be providing off-street parking.

LANDSCAPING AND SCREENING

General landscaping and screening – Meets requirements

- The proposed project would comply with the general landscaping and screening requirements.

Landscaping and Screening Requirements

Requirement	Required	Proposed
Lot Area	--	17,395 sq. ft.

Building Footprint	--	15,472 sq. ft.
Area Not Covered by Buildings	--	1,923 sq. ft.
Landscaped Area	385 sq. ft.	672 sq. ft.
Canopy Trees (1:500 sq. ft.)	1 tree	1 tree
Shrubs (1:100 sq. ft.)	4 shrubs	4 shrubs

Parking and loading landscaping and screening – *Not applicable*

- There is no surface parking proposed for the site, so the site is not subject to the screening and landscaping requirements for parking areas per section 530.170.

Additional landscaping requirements – *Meets requirements*

- The project appears to comply with the additional landscaping requirements in sections 530.180, 530.190, 530.200, and 530.210 of the zoning code.

ADDITIONAL STANDARDS

Concrete curbs and wheel stops – *Not applicable*

- There are no surface parking spaces proposed on the site.

Site context – *Meets requirements*

- The proposed project would comply with the site context requirements.

Crime prevention through environmental design – *Meets requirements*

- The proposed project would comply with crime prevention through environmental design (CPTED) standards.

Historic preservation – *Not applicable*

- This site is neither historically designated or located in a designated historic district, nor has it been determined to be eligible for designation.

Applicable Regulations of the Zoning Ordinance

Off-street Parking and Loading – *Meets requirements*

- The proposed project complies with the applicable vehicle parking, bicycle parking, and loading requirements.

Vehicle Parking Requirements Per Use (Chapter 541)

Use	Maximum	Proposed
General Retail Sales and Services (3,800 sq. ft.)	13	0
Residential Dwellings (47 units)	94	22, 7 are tandem stalls
	107	22

Bicycle Parking Requirements (Chapter 541)

Use	Overall Minimum	Short-term Requirement	Short-term Spaces	Long-term Requirement	Long-term Spaces	Long-term Spaces Without Stairs or Elevator (≥ 50%)
General Retail Sales and Services	3	≥ 50%	1	--	0	--
Residential Dwellings	47	--	0	≥ 90%	42	--
Total Required	50		1		42	21
Total Provided	53		6		47	47
Non-Wall-Mounted Required (≥ 25%)	12		1		12	
Non-Wall-Mounted Spots Provided	12		6		12	

Loading Requirements (Chapter 541)

Use	Loading Requirement	Loading Spaces	Proposed Spaces
General Retail Sales and Services	Low	0	0
Residential Dwellings	None	0	0
		0	0

Building Bulk – Meets requirements with Conditions of Approval

- The proposed project would meet the applicable floor area ratio requirements in the BFC4 Corridor 4 Built Form Overlay District.
- In the BFC4 Corridor 4 Built Form Overlay District, the maximum floor area ratio (FAR) of principal structures may be increased by 0.4 per premium, provided all applicable sections of Chapter 552, Built Form Overlay Districts, are met. The applicant is proposing to increase the maximum floor area ratio of the proposed building by providing the required premiums listed below, per Tables 552-12 in the zoning code. Staff finds that the project complies with the standards of the requested premiums.
- Staff recommends a condition of approval that, except as allowed by the affordable housing premium, all premiums shall be maintained for the life of the principal structure. The length of compliance with the affordable housing premium shall be as required by the Unified Housing Policy.

Floor Area Ratio Premiums Authorized in Interior 3*, Corridor 3, Corridor 4, Corridor 6, Transit 10, Transit 15, Transit 20, and Production

Premium	Standards
Affordable housing	a. The development shall comply with the City’s inclusionary housing requirements by providing affordable units on-site rather than utilizing one of the compliance alternatives. b. The development must include at least twenty (20) dwelling units to qualify for the affordable housing bonus. In developments with fewer than fifty (50) units, all inclusionary housing standards that apply to developments with fifty (50) or more units shall apply to the development.

	c. The premium value shall be double when the affordable units are on-site and affordable at or below thirty (30) percent of the area median income, without income averaging.
Enclosed parking	<p>a. All off-street parking on the zoning lot, other than temporary drop-off and pick-up spaces, shall be located within the building, entirely below grade, or in a parking garage of at least two (2) levels.</p> <p>b. All drive aisles that facilitate maneuvering into and out of parking spaces shall be located within the structure. <i>Exception: In the Interior 3 District, drive aisles and vehicle maneuvering areas may be located outdoors.</i></p> <p>c. Electric vehicle charging infrastructure must be provided in accordance with section 541.420, Specific electric vehicle charging infrastructure standards.</p>
Mixed use commercial and residential	<p>a. The commercial space within the development must comply with at least two (2) of the of the following three (3) standards:</p> <ol style="list-style-type: none"> 1) The commercial space shall occupy at least sixty (60) percent of the building’s ground-floor street frontage and a minimum interior depth of twenty (20) feet. 2) The commercial spaces shall occupy at least twenty (20) percent of the floor area of the building footprint or one thousand (1,000) square feet, whichever is greater. 3) The commercial space shall occupy at least five (5) percent of the gross floor area of the building or one thousand (1,000) square feet, whichever is greater. <p>b. The development shall include no fewer than four (4) residential units above the commercial space.</p> <p>c. For properties located in the Destination Mixed Use land use category in the comprehensive plan, the qualifying commercial space(s) shall be occupied by retail sales and services uses or food and beverages uses.</p>

Building Bulk Requirements

	Required	Applied Premium(s)	Premium Value	Total	Proposed
Lot Area	--	--	--	--	17,395 sq. ft.
Gross Floor Area	--	--	--	--	57,212 sq. ft.
Min. Floor Area Ratio	--	--	--	--	3.29
Max. Floor Area Ratio	2.4	1. Affordable housing 2. Enclosed parking 3. Mixed use commercial and residential	0.4 (3)	3.6	

Building Height – Meets requirements

- The proposed project would meet the applicable height requirements in the BFC4 Corridor 4 Built Form Overlay District.

Building Height Requirements

	Required	Applied Premium(s)	Premium Value	Total	Proposed
Min. Height	Not applicable	--	--	--	--
Max. Height	4 stories or 56 ft., whichever is less	--	--	4 stories or 56 ft., whichever is less	4 stories / 52 feet

Lot and Residential Unit Requirements – Meets requirements

- The proposed project would meet the applicable lot and residential unit requirements.
- The proposed dwelling units meet the minimum gross floor area requirement of 500 square feet per unit or 350 square feet per efficiency unit.
- The application is subject to the delayed phase-in for smaller projects with 20-49 units and the project is not subject to the requirements of Inclusionary Zoning per section 535.90(c)(1) of the zoning code. However, the project will be voluntarily subject to Inclusionary Zoning per the affordable housing floor area ratio premium.

Lot and Residential Unit Requirements Summary

Requirement	Requirement	Proposed
Lot Area	5,000 sq. ft. min. 28,000 sq. ft. max.	17,395 sq. ft.
Lot Width	40 ft. min.	142 ft. on Chicago Avenue 122 ft. on East 54 th Street
Impervious Surface Area	100% max.	96%
Lot Coverage	100% max.	89%
Dwelling Units (DU)	--	47 DUs
Net Residential Area	--	34,559 sq. ft.

Yard Requirements – Meets requirements

- The project would meet the applicable yard requirements.

Minimum Yard Requirements

Setback	Requirement	Proposed
Front (Chicago Avenue)	0 ft.	Between 0 and 7 ft.
Front (East 54 th Street)	0 ft.	Between 1 and 3 ft.
Interior Side (South)	5 ft.	5 ft.
Rear (West)	0 ft.	Between 1 and 10 ft.

Signs – Meets requirements with Conditions of Approval

- All signs are subject to Chapter 543, On-Premises Signs. The applicant will be required to submit a separate sign permit application for any signage that is proposed.
- In the C1 Neighborhood Commercial District there can be one-and-a-half square feet of signage for every one linear foot of primary building wall. Wall signs are limited to 45 square feet in size and projecting signs are limited to 16 square feet in size. The maximum height limitation for both wall signs and projecting signs is 20 feet. Freestanding monument signs are limited to 54 square feet in size and can be no taller than 8 feet. The zoning code limits the number of freestanding signs on a zoning lot to one.
- The applicant is not proposing any signage at this time.

Screening of Mechanical Equipment – Meets requirements with Conditions of Approval

- Mechanical equipment is subject to the screening requirements of Chapter 535, Regulations of General Applicability and district requirements.

- There will be a transformer located towards the east side of the building. The mechanical equipment will be screened from the public street by the building itself. There will be grasses and perennials planted around the base of the transformer to provide screening along the alley.
- There will be two rooftop mechanical units on the building. The location is indicated but the size of the mechanical equipment is unknown at this time. Given the parapet height, the building itself should screen it from the public street. CPED is recommending that the applicant provide information about the size and height of the rooftop mechanical equipment and a sightline study to confirm this.

Refuse Screening – Meets requirements

- Refuse and recycling storage containers are subject to the screening requirements in Chapter 535, Regulations of General Applicability.
- All refuse and recycling storage containers are located within the building.

Lighting – Meets requirements with Conditions of Approval

- Existing and proposed lighting must comply with Chapter 535, Regulations of General Applicability and Chapter 541 of the zoning code.
- A lighting plan showing footcandles was not submitted as part of the application materials. CPED is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

Fences – Not applicable

- Fences must comply with the requirements in Chapter 535, Regulations of General Applicability.
- Per the plans, the applicant is not proposing any fencing on the site.

Specific Development Standards – Not applicable

- The use is not subject to specific development standards in Chapter 536, Specific Development Standards..

AP Airport Overlay District Standards – Meets requirements

- The proposal is in compliance with the AP Airport Overlay District standards.

Applicable Policies of the Comprehensive Plan

The proposed use would be consistent with the applicable guidance and policies of Minneapolis 2040 (2020):

Future Land Use	Guidance	Staff Comment
Corridor Mixed Use	Corridor Mixed Use serves a larger market area than Neighborhood Mixed Use, and may have multiple competing uses of the same type. Commercial zoning is appropriate, mixed use multi story development is encouraged, and contiguous expansion of commercial zoning is allowed.	The applicant is proposing to construct a new, four-story, mixed-use development with approximately 3,800 square feet of commercial space.
Goods and Services Corridor	Guidance	Staff Comment
Chicago Avenue	Goods and Services Corridors serve two purposes: 1) To indicate where commercial	The 3,800 square feet of commercial space will be located

	uses should front in relation to properties guided for commercial future land uses, and 2) In addition to the guidance for the mixed use land use categories found in this section, Goods and Services Corridors identify where the establishment or expansion of commercial uses can be considered. Properties immediately adjacent to a Goods and Services Corridor may be considered for commercial activity, allowing for uses similar in scale and scope to the Neighborhood and Corridor Mixed Use categories.	towards the corner of Chicago Avenue and East 54 th Street.
Built Form	Guidance	Staff Comment
Corridor 4	New and remodeled buildings in the Corridor 4 district should reflect a variety of building types on both small and moderate-sized lots, including on combined lots. Building heights should be 1 to 4 stories. Requests to exceed 4 stories will be evaluated on the basis of whether or not a taller building is a reasonable means for further achieving Comprehensive Plan goals.	The applicant is proposing to construct a new, four-story building on the site, within the parameters of the Corridor 4 district.

The following policies and action steps from Minneapolis 2040 (2020) apply to this proposal:

Policy 1. Access to Housing: Increase the supply of housing and its diversity of location and types.

- a. Allow housing to be built in all areas of the city, except in Production and Distribution areas.
- b. Allow the highest-density housing in and near Downtown.
- c. Allow multifamily housing on public transit routes, with higher densities along high-frequency routes and near METRO stations.

Policy 5. Visual Quality of New Development: Ensure a high-quality and distinctive physical environment in all parts of the city through building and site design requirements for both large and small projects.

- a. Allow and encourage a variety of architectural styles.
- c. Ensure that exterior building materials are durable, sustainable, create a lasting addition to the built environment, and contribute positively to the public realm and reflect existing context.
- d. Require that the appearance and materials of the rear and side walls of new buildings are similar to and compatible with the front of the building.
- e. Require adequate distribution of windows and architectural features in order to create visual interest.
- f. Consider design approaches that encourage creative solutions for transitions between varying intensities of building types and land uses.
- i. Regulate the height and bulk of buildings as represented on the built form map.
- j. Require the screening of utilities, communication, transformers, and other service connections to buildings. Burying connections and lines is encouraged.

- k. Encourage roof lines and upper levels of tall buildings to be articulated with a distinguishable design.
- o. Regulate setbacks, orientation, pattern, materials, height, and scale of small-scale residential buildings to ensure consistency with built-form guidance and existing context.

Alternative Compliance

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is not being requested for any of the site plan review requirements.

PRELIMINARY/FINAL PLAT

The Department of Community Planning and Economic Development has analyzed the application for a preliminary and final plat based on the following findings:

1. *The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.*

The applicant is proposing to replat the existing lots, and the portion of the vacated alley that will accrue to the property as a result of the right-of-way vacation, into one lot. The subdivision is in conformance with the design requirements of the land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

2. *The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.*

The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets

3. *All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.*

The land intended for building can be used safely without endangering the users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.

4. *The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.*

The lot created by this application presents no foreseeable difficulties for development. No significant alterations to the land appear necessary.

5. *The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.*

The Department of Public Works has reviewed the preliminary plans for compliance with standards related to drainage and sanitary system plans. Public Works will need to review and approve the final plans for compliance with standards.

VACATION

The applicant is proposing to vacate the east-west alley between Chicago and Elliot Avenues, south of E 54th St.

The area to be vacated is legally described as follows:

- All that part of the east and west public alley lying within Block 4, EDGEWATER ON NOKOMIS SECOND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies west of the extended west line of the north and south alley through said Block 4, as shown on the SECOND REARRANGEMENT OF BLOCKS IN EDGEWATER ON NOKOMIS SECOND ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS. Minneapolis Public Works has reviewed the vacation petition and recommends approval of the right-of-way vacation.

FINDINGS. The Department of Public Works and the Department of Community Planning and Economic Development find that the area proposed for vacation is not needed for any public purpose, and it is not part of a public transportation corridor, and that they can be vacated if any easements requested above are granted by the petitioner.

RECOMMENDATIONS

The Department of Community Planning and Economic Development (CPED) recommends that the City Planning Commission and/or City Council adopt staff findings for the applications by New Life Properties LLC for the properties located at 5401 Chicago Ave and 811 East 54th St:

A. Site Plan Review.

Recommended motion: The City Planning Commission **approves** the site plan review for a new, mixed-use building with 47 dwelling units and approximately 3,800 square feet of ground-level commercial space, subject to the following conditions:

1. All site improvements shall be completed by February 6, 2025, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. Except as allowed by the affordable housing premium, all premiums shall be maintained for the life of the principal structure. The length of compliance with the affordable housing premium shall be as required by the Unified Housing Policy.
4. All signs shall comply with Chapter 543, On-Premise Signs of the zoning code. All signage requires a separate permit from CPED.
5. The applicant shall provide information about the size and height of the rooftop mechanical equipment and a sightline study to confirm that the building itself will screen it from the public street.
6. The final lighting plan shall conform to the standards of Chapter 535, Regulations of General Applicability.

B. Preliminary and Final Plat.

Recommended motion: The City Planning Commission **approves** the preliminary and final plat application to create one lot.

C. Vacation.

Recommended motion: The City Planning Commission recommends that the City Council **approve** the vacation to vacate the east-west alley between Chicago and Elliot Avenues, south of E 54th St.

ATTACHMENTS

1. Project description
2. Civil plans
3. Architectural plans
4. Preliminary and final plat
5. Vac1770 materials
6. Correspondence